

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

SHILAI XIE,

Petitioner,

v.

MICHAEL CHERTOFF, ET AL.,

Respondents.

ORDER
06-MC-72S

1. On October 25, 2006, Petitioner Shilai Xie filed a Petition for Writ of Mandamus seeking to compel Respondents to adjudicate his pending I-485 Application to Register Permanent Residence or Adjust Status. (Docket No. 1.)

2. On January 9, 2007, Respondents filed a Motion to Dismiss the petition on the basis that it is now moot. (Docket No. 7.) Respondents assert that the United States Citizenship and Immigration Service approved Petitioner's I-485 Application on January 4, 2007. (Richards Aff., ¶ 3.) Further, it attaches a copy of the approved application. (Richards Aff., Exhibit A.)

3. Based on this evidence, this Court finds that Petitioner has received the requested relief. As such, Petitioner's Petition for Writ of Mandamus is moot.

IT HEREBY IS ORDERED, that Respondents' Motion to Dismiss the Petition for Writ of Mandamus as moot (Docket No. 7) is GRANTED.

FURTHER, that the Petition for Writ of Mandamus (Docket No. 1) is DISMISSED as moot.

FURTHER, that the Clerk of the Court is directed to close this case.

SO ORDERED.

Dated: January 23, 2007
Buffalo, New York

/s/William M. Skretny
WILLIAM M. SKRETNY
United States District Judge